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3 UNITED STATES DISTRICT COURT
4 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

5 OFFSHORE-INLAND SERVICES OF
6 ALABAMA, INC.,

7 Plaintiff,

8 v.

9 R/V DEEPOCEAN QUEST (ex NADIR), IMO
10 No. 7347823, *in rem*, OCEAN SERVICES, LLC,
in personam, and CASEMO INTERNATIONAL,
S.A.,

11 Defendants.

12 DEEP OCEAN QUEST, S.A., a foreign
13 corporation,

14 Plaintiff,

15 v.

16 STABBERT MARITIME YACHT & SHIP,
LLC, a Washington limited liability company
d/b/a Stabbert Maritime Yacht & Ship, Inc.;
17 SMY&S, INC., a Washington corporation d/b/a
Venture Pacific Marine Inc.; OCEAN
18 SERVICES, LLC, a Washington limited liability
company; STABBERT MARITIME
19 HOLDINGS, LLC, a Washington limited liability
company; STABBERT MARITIME, LLC, a
20 Washington limited liability company;
STABBERT YACHT AND SHIP, LLC, a
21 Washington limited liability company;
STABBERT YACHT AND SHIP HOLDING,
22 LLC, a Washington limited liability company;
and DAN STABBERT and his marital
23 community d/b/a Stabbert Maritime Yacht &
Ship, Inc.,

24 Defendants.
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CASE NO. C06-0183-JCC
Consolidated with C06-1114-JCC

IN ADMIRALTY

MINUTE ORDER

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2 The following Minute Order is made by direction of the Court, the Honorable John C.
3 Coughenour, United States District Judge:

4 In its Order of May 5, 2009 (Dkt. No. 341), this Court ordered that Defendant Stabbert Maritime,
5 Inc. ("S.M., Inc.") submit, as soon as practicable, the following:

- 6 (1) A proposed writ or writs of pre-judgment attachment, attaching (a) "any payments or right of
7 payment or reimbursement from the insurance underwriters or FIS Marine to [Deep Ocean
8 Quest, S.A. ("DOQ")] relating to its 'Heavy Weather-Hurricane Katrina' insurance claim," (b)
9 "any payment or right of payment from DOE to DOQ in relation to its bankruptcy claim," and
10 (c) to the extent S.M., Inc. believed it was appropriate, "any proceeds from the future sale of the
11 ALUCIA";
- 12 (2) A Reply brief supporting its request for pre-judgment attachment of the proceeds from the future
13 sale of the ALUCIA;
- 14 (3) A bond of \$3,000 to support the writ(s) of pre-judgment attachment; and
- 15 (4) A proposed writ of pre-judgment garnishment "to FIS Marine as garnishee, requiring garnishee
16 to hold all funds currently held or hereafter received for the benefit of DOQ until further order of
17 this Court or full satisfaction of judgment in this matter."

18 The Court also ruled that DOQ would have, as requested, five days to file any objections or otherwise
19 respond to the form of the proposed writ(s) of pre-judgment attachment. (Dkt. No. 341 at 5.) The Court
20 declined to permit DOQ time to object to the form of the proposed writ of pre-judgment garnishment,
21 however, in part because expediency appeared to be required, given the expected timing of a
22 forthcoming insurance payment to FIS. (*Id.* at 6.)

23 To date, the Court has received the bond, along with proposed writs of pre-judgment attachment
24 as to the insurance payment and the bankruptcy claim. However, although S.M., Inc. has filed a Reply
25 brief addressing its request for pre-judgment attachment of future ALUCIA sale proceeds (Dkt. No.

1 342), the Court has not received a proposed writ of pre-judgment attachment of those proceeds. Nor has
2 it received a proposed writ of pre-judgment garnishment to FIS Marine.

3 After full consideration of the briefing, including S.M., Inc.'s Reply brief (Dkt. No. 342), the
4 Court is persuaded that the uncertainty of DOQ's bankruptcy claim justifies granting the additional
5 security of attachment of future ALUCIA sale proceeds up to the amount of any outstanding judgment
6 balance. S.M., Inc. is DIRECTED to file each of its proposed writs on the docket (and email a Word or
7 WordPerfect version to coughenourorders@wawd.uscourts.gov) so that DOQ may make any objections
8 to the form of the writs of pre-judgment attachment and to facilitate the clerk's issuance of the writs.

9 DATED this 11th day of May, 2009.

10 BRUCE RIFKIN, Clerk of Court

11 By /s/ V. Perez
12 Deputy Clerk
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